



City of Seattle

Gregory J. Nickels, Mayor  
**Department of Planning and Development**  
Diane Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR  
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 2301628

**Applicant Name:** Nancy Henderson of GGLO for the Missionary Sisters of the Sacred Heart

**Address of Proposal:** 1001 Madison Street

**SUMMARY OF PROPOSED ACTION**

Master Use Permit for future construction of a 6-story building containing 8,000 square feet of retail at the ground level and 50 low-income elderly apartments above. Parking for 34 vehicles to be provided below grade and accessed from Terry Avenue. Project includes approximately 1,500 cubic yards of grading.

The following approvals are required:

- **Design Review and Development Standard Departures**, pursuant to Chapter 23.41 Seattle Municipal Code.
- **SEPA - Environmental Determination**, pursuant to SMC Chapter 25.05.

**SEPA DETERMINATION:** ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

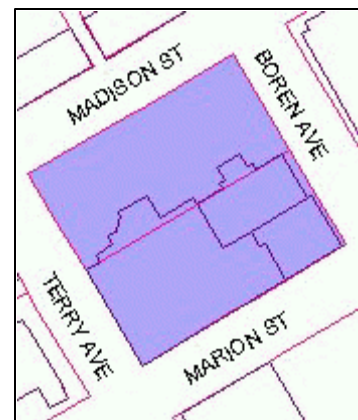
☒ DNS with conditions

☐ DNS involving non-exempt grading or demolition or involving another agency with jurisdiction

**BACKGROUND**

**Site and Vicinity**

The site, located between Terry Avenue and Boren Avenue on Madison Street, is a half block zoned Neighborhood Commercial 3-160 (NC3-160) with a 160-foot height limit and is located in a Pedestrian 2 overlay. Currently the proposed site is vacant. The applicant proposes a six-story mixed-use building with 50 low-income senior apartments and approximately 8,000 sq. ft. of retail with parking for 34 vehicles provided below grade.



The site is a corner lot, with street frontage on Madison Street, Terry Avenue and Boren Avenue. The adjacent site to the south is zoned Highrise (HR) with a 160-foot height limit. Immediately to the east is the Swedish Medical Center, which is designated as a major institution. Neighboring sites are mixed between multifamily, commercial and institutional uses.

Area development is defined by several buildings in the vicinity. The Sorrento Hotel, located northwest of the site was originally built in 1908. The structure is 7-stories tall and constructed predominately of brick with terracotta-like accents along the cornice and window sills.

Immediately north of the subject site is a 1-story building consisting of small retail establishments. The façade of the building consists of a concrete tile pattern with overhead weather protection in the form of red awnings.

Just east of the retail building is a 3-story building owned by the University Club. This structure has a residential scale to include beveled siding and was constructed in 1912.

In addition to these structures, another prominent structure(s) is the Swedish Medical Center. These buildings vary in height from 3-14 stories. The architecture is institutional by nature, with a concrete façade that emulates a larger scale than the previous structures mentioned above.

Lastly, the Cabrini Medical Center (office) is adjacent to the subject site and is 4 to 19-stories in height. Similar to the Swedish Hospital, these structures consist of a monolithic concrete base.

### Public Comments

Public notice of the Master Use Permit application was published on March 31, 2004 and mailed to neighboring properties within 300 feet of the project site. The public comment period ended on April 24, 2004. One comment letter was received for this project and stated the following:

- The neighbor feels that the existing site conditions are poor, and welcomes redevelopment of the vacant property.

In addition, two meetings occurred before the Capitol Hill/First Hill Design Review Board, as the project is subject to Design Review. Approximately 15 people from surrounding properties attended these meetings.

## **ANALYSIS – DESIGN REVIEW**

### **Early Design Guidance meetings**

During the first Early Design Guidance meeting on December 17, 2003, before the architect began their presentation, Sister Lucile, representing the Sisters of the Sacred Heart, gave their mission statement as it relates to this particular design proposal.

The architect then presented project site plans, three massing diagrams, axonometric drawings, and elevations drawings. The diagrams represented the neighborhood context and future massing conditions based on zoning. The architect also explained that the site is located at a

prominent intersection. An important goal is to anchor the corner of Madison Street & Boren Avenue while maintaining the view corridor for the adjacent office tower. Since this project involves federal funding, the architect explained some of the limitations they have to consider, i.e. unit size, no balconies, etc.

At this meeting, the Board also took public comment concerning the proposal from citizens that were in attendance at the meeting. Following their deliberation, the West Seattle Design Review Board prioritized the following guidelines, identifying by letter and number those siting and design guidelines found in the City of Seattle's "*Design Review: Guidelines for Multifamily and Commercial Buildings*" of the highest priority to this project:

- A-1 Responding to Site Characteristics
- A-2 Streetscape Compatibility
- A-3 Entrances Visible from the Street
- A-5 Respect for Adjacent Sites
- A-7 Residential Open Space
- A-8 Parking and Vehicle Access
- A-10 Corner Lots
- B-1 Height, Bulk and Scale Compatibility
- C-1 Architectural Context
- C-2 Architectural Concept and Consistency
- C-3 Human Scale
- C-4 Exterior Finish Materials
- D-1 Pedestrian Open Spaces and Entrances
- D-2 Blank Walls
- D-6 Screening of Dumpsters, Utilities and Service Areas
- D-7 Personal Safety and Security
- E-2 Landscaping to Enhance the Building and/or Site
- E-3 Landscape Design to Address Special Site Conditions

Please see the full Early Design Guidance write-up in the project file.

### **DESIGN REVIEW BOARD RECOMMENDATIONS SUMMARY: JUNE 2, 2004 MEETING**

Before the architect began their presentation, Sister Lucile, representing the Sisters of the Sacred Heart, gave their mission statement as it relates to this particular design proposal.

The architects then presented project site plans, floor plans, computer renderings, and detailed elevations drawings. For the presentation, the architects referenced the guidance from the Early Design Guidance (EDG) meeting and demonstrated their design response. Relative to the open space proposed as a courtyard, the design team noted that the mechanical equipment attached to the north façade of the existing medical office tower (to the south) would be screened from view at the proposed courtyard level.

The Architect highlighted some new features added to the design since the previous EDG meeting including one which incorporates the historic terracotta archway from the previous

building located on the site. Since the first meeting held on December 17, 2003, Mithun Architects became involved with project and is responsible for the design of the lobby addition adjacent to the medical office tower to the south. The terracotta archway was shown in two potential configurations: 1) adjacent (engaged) to the medical lobby entrance; 2) placed a few feet in front of the medical lobby entrance to give a “freestanding” appearance. Wolf Saar, the architect for Mithun, mentioned that the existing archway was in poor condition. If the arch becomes too costly to repair, he suggested that a replica could be constructed using gypsum fiberglass reinforced gypsum (GFRG) panels. However, the current goal is to repair the existing archway.

#### Departure from Development Standards:

Three departures had been requested at the time of this meeting and are listed below. The Board unanimously recommended **APPROVAL** of all of the requested departures pertinent to the project design presented at the June 2, 2004 final recommendation meeting.

#### **SUMMARY OF DEPARTURE REQUESTS**

<b>Request</b>	<b>Standard</b>	<b>Proposal</b>	<b>Rationale</b>	<b>Recommendation</b>
Decrease in open space.	20% of the gross floor area in residential use.  =5,462 SF	13% of residential gross floor area (3,544 SF) and 9% provided in interior common space (2,592 SF)  =6,136 SF	For at least 6 months out of the year, the outdoor space will get minimal use (i.e. sunlight and weather conditions), and the interior space will be crucial for year round social interaction.	Recommended approval.
Decrease upper level setback from HR zone.	Setback of 15’ required from an HR zone for portions of building more than 13’ above grade.	Allow the 28-foot tall archway, the 18-foot high lobby and 15-foot high courtyard to project into the setback.	The medical office tower was built before the zone changed to HR. The building is not in residential use.	Recommended approval.
Allow archway to project into the 5-foot street-tree setback	Setback of 5-feet required on Boren where street trees are required.	Archway for new lobby to project into the setback.	The archway should appear as an “artifact” and be prominently displayed along streetscape.	Recommended approval.

#### **SUMMARY OF RECOMMENDATION**

In general, the Board members in attendance indicated that the project met the Design Guidance which was prioritized at their previous meetings. The Board complimented the development team on the quality of the presentation and the details provided in the presentation to gain a full understanding of the project’s design

Therefore, after considering the proposed design and the project context and reconsidering the solutions presented in relation to the previously stated design priorities, all five of the Design Review Board members in attendance unanimously recommended **APPROVAL** of the subject design as presented and recommended several conditions.

### **DIRECTOR'S ANALYSIS - DESIGN REVIEW**

The Director is bound by any consensus approval of the design and requested design departures, except in certain cases, in accordance with Section 23.41.014.F.3. These exceptions are limited to inconsistent application of the guidelines, exceeding the Board's authority, conflicts with SEPA requirements, or conflicts with state or federal laws. The Director has reviewed the Citywide Design Guidelines and finds that the Board neither exceeded its authority nor applied the guidelines inconsistently in the approval of this design. The Director also concurs with the conclusions of the Board that the project does meet the City-wide design guidelines.

### **DECISION - DESIGN REVIEW**

The Director accepts the Board's recommendations to approve the project design and the requested departures. Conditions listed below are provided to ensure that the design details approved with this project are implemented through the construction process.

### **ANALYSIS - SEPA**

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant and dated March 17, 2003, and annotated by this Department. This information in the checklist, supplemental information provided by the applicant (plans, including landscape plans, traffic analysis), comments from members of the community, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) establishes the relationship between codes, policies, and environmental review. Specific policies for specific elements of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part:

"where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation (subject to some limitations)."

Under certain limitations/circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

#### **Short-term Impacts**

Demolition and construction activities could result in the following temporary or construction-related adverse impacts:

- construction dust and storm water runoff;
- erosion;
- increased traffic and demand for parking from construction equipment and personnel;

- increased noise levels;
- occasional disruption of adjacent vehicular and pedestrian traffic;
- decreased air quality due to suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment;
- increased noise; and
- consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts: The Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. The Street Use Ordinance requires debris to be removed from the street right-of-way, and regulates obstruction of the pedestrian right-of-way. Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment.

### Noise

In addition to the Noise Ordinance requirements in SMC 25.08, to reduce the noise impact of construction on nearby properties, all other construction activities shall be limited to non-holiday weekdays between 7:30 a.m. and 6:00 p.m. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only low noise impact work such as that listed below, shall be permitted on Saturdays and Sundays from 9:00 a.m. to 6:00 p.m.:

1. Surveying and layout;
2. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.

After each floor of the building is enclosed with exterior walls and windows, interior construction on the individual enclosed floors can be done at other times in accordance with the Noise Ordinance. Such construction activities will have a minimal impact on adjacent uses. Restricting the ability to conduct these tasks would extend the construction schedule, thus the duration of associated noise impacts. DPD recognizes that there may be occasions when critical construction activities could be performed in the evenings and on weekends, which are of an emergency nature or related to issues of safety, or which could substantially shorten the total construction time frame if conducted during these hours.

Therefore, the hours may be extended and/or specific types of construction activities may be permitted on a case-by-case basis by approval of the Land Use Planner prior to each occurrence. Periodic monitoring of work activity and noise levels will be conducted by DPD Construction Inspections.

As conditioned, noise impacts to nearby uses are considered adequately mitigated.

### Grading

Grading is proposed for the construction of the below grade parking. The applicant has noted that fill will not be needed to complete the proposal. If material is transported to or from the site, City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. No conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

#### Construction Parking

Construction of the project is proposed to last for approximately 13 months. On-street parking in the vicinity is limited, and the demand for parking by construction workers during construction could exacerbate the demand for on-street parking and result in an adverse impact on surrounding properties.

Accordingly, the owner and/or responsible party shall assure that construction vehicles and equipment are parked on the subject site for the term of construction whenever possible. To further facilitate this effort, the owner and/or responsible party shall submit a construction phase transportation plan. The plan shall identify approximate phases and duration of construction activities, haul routes to and from the site, address ingress/egress of trucks/personnel/equipment and construction worker parking. These conditions will be posted at the construction site for the duration of construction activity. The authority to impose this condition is found in Section 25.05.675B2g of the Seattle SEPA ordinance.

#### Long-term Impacts

Long-term or use-related impacts are also anticipated from the proposal and include: potentially decreased water quality in surrounding watersheds; increased bulk and scale on the site; increased ambient noise due to increased human activity; increased demand on public services and utilities; increased light and glare; increased energy consumption, increased on-street parking demand. These long-term impacts are not considered significant because the impacts are minor in scope.

#### Parking

With this proposal, parking for 34 vehicles will be provided on-site for the low-income elderly apartments and the retail space. According to the Institute of Transportation Engineers (ITE) Parking Generation manual 2nd edition, the peak parking demand for a *market-rate* retirement community with 50-units generates a total parking demand of 14 parking spaces on weekdays. The ITE manual does not address low-income elderly housing; however low-income housing tends to have less of a peak parking demand than market-rate housing.

Approximately 8,317 square feet of retail will be provided as well. However, on-site parking spaces for 34 automobiles are proposed. Therefore, no mitigation is warranted under SEPA.

#### Height, Bulk & Scale

Since the Design Review Board and the Director have considered the potential height, bulk and scale impacts and acted to limit those impacts, the Director concludes that the negative impacts of height, bulk and scale have been adequately mitigated and no additional SEPA height, bulk and scale mitigation is warranted.

#### Other Impacts

Several adopted Codes and Ordinances and other Agencies will appropriately mitigate the other use-related adverse impacts created by the proposal. Specifically, these are the Puget Sound Clean Air Agency (increased airborne emissions); and the Seattle Energy Code (long-term energy consumption). The other impacts not noted here as mitigated by codes, ordinances, or conditions (increased ambient noise; increased pedestrian traffic, increased demand on public services and utilities) are not sufficiently adverse to warrant further mitigation by conditions.

#### **DECISION - SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).

[ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

#### **CONDITIONS - DESIGN REVIEW**

##### Non-Appealable Conditions

1. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Bryan Stevens, 684-5045). Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.
2. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project (Bryan Stevens, 684-5045), or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.
3. Embed all of these conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings.

##### Prior to Issuance of the Master Use Permit



4. Keep height of the concrete kick-base as low as possible (before tempered glass is required) to increase the transparency of the street-level facade.
5. “Lighten” the courtyard open space by using reflective material along the walls of the space or a lighter color pallet on the walls of the courtyard.
6. Incorporate easement language into the existing legal description to allow for the encroachment of the existing office tower and proposed office lobby along the south property line of the subject site.

During Construction:

7. All changes to the exterior facades of the building and landscaping on site and in the ROW must be reviewed by the Land Use Planner prior to proceeding with any proposed changes.

Prior to Issuance of a Certificate of Occupancy:

8. Compliance with the approved design features and elements, including exterior materials, roof pitches, facade colors, landscaping and ROW improvements, shall be verified by the DPD Planner assigned to this project. Inspection appointments with the Planner (Bryan Stevens, ph.206-684-5045) must be made at least 3 working days in advance of the inspection.
9. The mechanical equipment on the medical tower to the south should be screened from view and noise at the courtyard level as mentioned in the June 2, 2004 meeting.
10. Incorporate the preserved archway into the façade along Boren Avenue as recommended during the June 2, 2004 recommendation meeting.

**CONDITIONS - SEPA**

Prior to issuance of any Construction or Grading Permits

11. The owner(s) and/or responsible party(s) shall secure DPD Land Use Planner approval of construction phase transportation and pedestrian circulation plans. Appropriate SDOT and King County METRO participation in development of the plans shall be documented prior to DPD approval. The plans shall address the following:
  - Ingress/egress and parking of construction equipment and trucks;
  - Truck access routes, to and from the site, for the excavation and construction phases;
  - Street and sidewalk closures;
  - Potential temporary displacement/relocation of any nearby bus stops.

During construction:

12. The owner(s) and/or responsible party(s) shall comply with the construction phase parking plan. A copy of that plan must be kept on-site.
13. All construction activities shall be limited to non-holiday weekdays between 7:30 a.m. and 6:00 p.m. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only low noise impact work such as that listed below, shall be permitted on Saturdays and Sundays from 9:00 a.m. to 6:00 p.m.:
  - Surveying and layout;
  - Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.

After each floor of the building is enclosed with exterior walls and windows, interior construction on the individual enclosed floors can be done at other times in accordance with the Noise Ordinance. These hours may be extended and/or specific types of construction activities may be permitted on a case-by-case basis by approval of the Land Use Planner prior to each occurrence. The applicant will be required to submit a noise mitigation plan to DPD for review before a change in construction hours may occur. Periodic monitoring of work activity and noise levels may be conducted by DPD Construction Inspections.

Signature: (signature on file) Date: September 20, 2004  
Bryan Stevens, Land Use Planner  
Department of Planning and Development  
Land Use Services